

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. CIV 13-0524 JB/WPL
CR 11-2784 JB

JOHN S. WILLIAMSON,

Defendant.

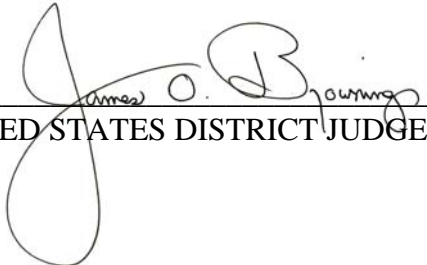
MEMORANDUM OPINION AND ORDER OVERRULING OBJECTIONS

THIS MATTER comes before the Court on Defendant John S. Williamson's Objections to Order of Dismissal and Memorandum Opinion , filed July 10, 2013 (CIV Doc. 6; CR Doc. 147). By order entered on June 29, 2013, the Court dismissed Williamson's Motion to Set Aside, Vacate, or Correct Wrongful Conviction of Person in Federal Custody. The Court dismissed the motion to vacate, because Williamson's appeal from his criminal conviction was still pending, and because the motion presented no "extraordinary circumstances," United States v. Cook, 997 F.2d 1312, 1319 (10th Cir. 1993), that would have justified adjudicating the motion.

Williamson's objections present a number of purported bars to the validity of his criminal conviction; the objections fail, however, to address the central rationale of the dismissal order, namely, that "the orderly administration of criminal justice precludes a district court from considering a § 2255 motion while review of the direct appeal is still pending." United States v. Cook, 997 F.2d at 1319. Williamson's objections fail to establish any infirmity in the order of dismissal, and the docket indicates that his appeal remains pending. The Court will therefore overrule his objections.

IT IS ORDERED that Defendant John S. Williamson's Objections to Order of Dismissal

and Memorandum Opinion, filed July 10, 2013 (CIV Doc. 6; CR Doc. 147), are overruled.



UNITED STATES DISTRICT JUDGE

Parties:

John S Williamson
Albuquerque, New Mexico

Petitioner pro se